

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ERIC L. LIFSCHITZ,

No. C 10-2107 SI

Plaintiff,

ORDER RE: SUPPLEMENTAL BRIEFING

v.

RONALD M. GEORGE,

Defendant.

On September 3, 2010, the Court held a hearing on defendant's motion to dismiss the complaint. As discussed at the hearing, the Court finds that it would be helpful to have supplemental briefing on the following two claims: (1) plaintiff's claim that California's citability and publication rules violate his First Amendment right to petition the government for redress; and (2) plaintiff's claim that these rules violate his right to Due Process because the 20 day time limit for requesting publication denies him a meaningful opportunity to be heard in the event that the 20 day time period has lapsed by the time plaintiff realizes that he wishes to request publication of a particular decision.

The parties shall file simultaneous supplemental briefs of no longer than 15 pages by **September 24, 2010**. If either party wishes, they may file a response of no longer than 10 pages by **October 1, 2010**. The Court will then take the motion under submission.

IT IS SO ORDERED.

Dated: September 7, 2010



SUSAN ILLSTON
United States District Judge